

Water Transfer Work Group Meeting Minutes for May 2, 2011, 1:00 PM

Attendees: Donna Ambrose, Stuart Crane, Melissa Downes, Ingrid Ekstrom, Chuck Garner, Candy Graff, Teresa Hauser, Carron Helberg, Anna Hoselton, Walt Larrick, Paul LaRiviere, Dave Lester, Tom Mackie, Larry Martin, Joe Mentor, Wayne Nelson, Marcia Rauser, Tom Ring (phone), Kurt Walter, Anna Watanabe

Walt opened the meeting with introductions around the room. Melissa added by explaining Mark Schuppe has taken another job within Ecology and she is acting as Ecology's Regional Manager for 6 weeks, as well as Tom Mackie for 5 weeks after that and that they will cover the position until it is filled.

Minutes

Joe had a correction in the April Minutes where Jessica was having a hard time hearing via conference phone and felt there was a misunderstanding as she did not intend to ask that Spring Creek to be held over. Joe added he did not ask to have Spring Creek on the agenda, however Melissa said she had asked to have it added. Carron will make this correction to the minutes and this will finalize Feb, March and April minutes.

PREVIOUS PROPOSALS

2011-03, 2011-18: Spring Creek, Melissa said that Ecology will post the draft decisions on the website this week. Tom Ring said he does not have enough information to say it is harmful or not and will share this information with the tribe. Joe said he didn't understand Ecology's determination, Melissa said they are in the same drainage but in different aquifers. Joe asked how much longer it will be and Mel did not have a timeline. Joe feels this is taking too long, he does not understand why, and the applicants are still waiting.

2011-25: Starkovich – Ecology's update concludes the well impacts will be felt on both the Teanaway River and the Yakima River. Ecology stated this proposal will be put on hold until other options can be explored.

NEW PROPOSALS

2011-34: Spring Creek, Candy explained this proposal and that the yellow are the previously talked about proposals and the new ones are in red. All are asking for the minimum 500 square feet except Sutherland, which is asking for 1,000 square feet. Melissa said Ecology needs more information, and with the public notice completed, she will bring this back next meeting.

2011-35: Talerico. Melissa explained that this proposal is going into the trust water program for new uses at a later date, and was in front of the Kittitas County Conservation Board, with an OPL, and following the 3.5 acres of irrigated land. Paul asked if it is permanent, yes it is. The group gave a thumbs-up recommendation.

2011-36 Kohl: Ingrid Ekstrom began discussing this proposal, Water Budget Neutrality request for 2 connections, 500 square feet each, presented as a larger Tillman Creek group. Ecology has completed the hydro geologic work and it is not connected to Tillman Creek and sent it to the fish group a couple of weeks ago. The fish group had no concerns, with Tom Ring asking Paul about the North Branch Canal. Paul talked about the aquifer and there is no drainage to the north. Ingrid added there is a drain going north. Paul talked about natural drainage and what KRD uses. Kurt Walker said he has walked it and said it appears it serves KRD customers and it is a prominent drainage. Paul said Tom Ring or he does not have any other information on this area. Paul said it is a minimum amount, 350 gals per minute a day, and is ok as long as they do not ask for any more, as he would not agree with a higher number. Tom Ring feels that this is not what it said and that fish issues may not be neutral. Paul is only speculating whether there is fish there. Tom Mackie from Ecology said he has been there and saw foundation drains. Also there were canal mile markers. Paul continued about the unnamed tributary and whether it is return flow. Ingrid said it looked like a drain and the canal is concrete lined in that area. The district takes care of that drain and Reclamation does not know if they keep track of the flow. Tom Ring is not comfortable with this and needs to talk to other folks about it. Then Paul asked Joe about the process in this review. How Ecology has doing business, taking the information, get the fish input, then get hydrologic review, and that this one has the Suncadia mitigation. Paul said this is one he would make it a high priority and get the info and he said he can go ahead and bring back at the next meeting or do this sooner. Joe added that Mr. Kohl's application has been pending since September 13, 2010, with a sale pending, waiting for a decision from Ecology. The contracts have expired once and May 13, 2011 is the deadline. Paul said it needs to be done quickly and Tom Ring said he or someone will go with Paul in the field. Joe is asking to have this finalized by the 13th and the process would not be complicated with renewing the contracts. Candy asked Joe which contracts; Joe is talking about just the Denny, Ambrose, Staenberg proposals. Hamberlin has been out there awhile (151 days) but will just go on the web as a WBN determination. Kurt asked about which ones were being held up and will give a list to Melissa. Donna explained the legal process including the pending deadline. She explained her future use and current situation. Ann Watanabe said she wanted to know about the preferential treatment and was concerned about it. She wants the same treatment. Melissa said she will take it under advisement and understands that decisions are not going as fast as everyone likes.

2011-37 Smith: Tom Ring said this proposal is a thumbs up, Ingrid said it is a single connection, impact is to a unnamed drainage to Lake Kachess, it went to the fish group with no concerns. Paul is fine with it also. The group gives this a thumbs-up recommendation.

2011-38 Boser: Kurt explained this proposal; the fish group gave small comments about bull trout but nothing on Stampede Creek, but not any concerns. Paul was wondering how his comments were interrupted and talked about Mosquito Creek, about the species but not enough information and that it had not been ground truthed. They cannot say there are not surface connectivity and a potential for impacts. This is 1%, a change in POD above the reservoirs, and ESA listed. Paul feels that Mosquito and Stampede Creeks are in the same category, but not enough information. Kurt said if a listed species is present, then the 1% needs to be looked at. Tom Ring agrees with Paul and had a couple of questions, fish and consultation being triggered. Kurt asked Tom Ring if he had any work or information in this area, he said no, but he will make some calls about this. They will coordinate and try to get more information, but it is now May and if there will be low flows unless there are any flow studies in the area, but will do what they can in this time frame. Also, Paul will look at this in the field and Tom will go if he can.

2011-39 Kelly: WBN, the well on northern portion of parcel, the impact would be to the main stem of the Yakima River and an unnamed stream north of the parcel. This is on the green and yellow areas and borders the army green hatched area. Paul said he has been there and the KRD canal is right there and he cannot find any surface water, and feels it is KRD and with no fish. Tom is ok with this also. The group gave a thumbs-up recommendation.

2011-40 Jacobs: KCCD reminded that this was already 2010-71 with 3 water rights slightly moving upstream on Cherry Creek. Oct said it was a pending thumbs-up and Ecology's time will expire on Friday. The group gave it a provisional thumbs-up recommendation, pending the YN giving it a thumbs-up.

2011-41 Teanaway Tracts Peterson: currently they are adding a POD, and adding a 12th cabin as one of the cabins agreed to reduce its use. This is increasing the number of cabins from 11 to 12, WBN and no increase in use. Tom gave it a thumbs-up, Paul is ok also. Ecology will have a decision shortly and the group gave it a thumbs-up recommendation.

OTHER ISSUES

The group did not have any other issues.

Next meeting will be on June 6, 2011 at 1:00 PM.

Walt adjourned at 2:00 PM.